

REMARKS

Claims 1-38 are pending in the above-captioned patent application after this amendment. Claims 1-35 have been rejected. The Applicant respectfully traverses the rejection claims 25 and 28-34. The Applicant has amended claims 1, 14, 15 and 26, and has added claims 36-38, all for the purpose of expediting the patent application process in a manner consistent with the goals of the Patent Office pursuant to 65 Fed. Reg. 54603 (September 8, 2000), even though the Applicant believes that the previously pending claims were allowable.

Support for the amendments to the claims and for the new claims can be found throughout the originally filed application, including the originally filed claims, the drawings and the specification. More specifically, support for the amendments to claims 1, 14, 15 and 26, and for new claims 36-38 can be found at least in Figures 3-8, in original claims 1-32, and at least in the specification at page 10, line 1 through page 16, line 17.

No new matter is believed to have been added by this amendment. Consideration of the pending application is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-4, 10 and 26-27 are rejected under 35 U.S.C. §102(b) as being anticipated by Hikita (US 6,427,941). The Applicant respectfully submits that this rejection would more appropriately be made, if at all, under 35 U.S.C. §102(e), and not under 35 U.S.C. §102(b) since the filing date of the instant application predates the issue date of Hikita. Further, claims 1-4, 10, 14-15, 20-21 and 26-27 are rejected under 35 U.S.C. §102(b) as being anticipated by Stewart et al (US 6,436,191). Somewhat similarly, the Applicant respectfully submits that this rejection would more appropriately be made, if at all, under 35 U.S.C. §102(e), and not under 35 U.S.C. §102(b) since the filing date of the instant application predates the issue date of Stewart et al. In any event, the Applicant has amended claims 1, 14, 15 and 26 as provided above. These claims are believed to be allowable as set forth below.

Hikita is directed toward a web transporting apparatus 10 having an air floating

roller 14 that includes a number of jetting holes 24 formed in the periphery of an outer cylinder 20 of the roller 14. (Col. 2, lines 46-60). Each jetting hole 24 has a bottom that is formed from an inner cylinder 18. (Fig. 1). Thus, the bottom of each jetting hole 24 has a radius of curvature in a direction along the circumference of the inner cylinder 18 that is the same as a radius of curvature of the inner cylinder 18. In other words, the depth of each jetting hole 24 is not substantially linear, nor is the jetting hole tapered. Stated another way, because of the curvature of the inner cylinder 18, the depth of each jetting hole 24 does not vary. (See Fig. 1).

Stewart et al is directed toward a corona discharge treatment roller 10 having a surface 14 with a plurality of interconnected channels 22 and plateaus 30. One embodiment of the roller 10 includes a plurality of discontinuous channels 22. (Figs. 2-3). However, the channels have a consistent depth along the length of each channel. Although the Patent Office has cited Figure 3 as showing a varying depth within each channel 22, Figure 3 is a cross-section taken to show the width of the channels, not the length. Thus, Stewart et al does not teach or suggest that the depth varies within one of a plurality of channels, along the length of the channel.

In contrast to the cited references, amended claim 1 is directed toward a guide assembly that requires "a rotatable first roller including a perimeter surface, a circumference, a longitudinal axis and a groove disposed into the perimeter surface, the groove having a groove length in a direction substantially along the circumference, and a groove bottom that is substantially linear in a direction along the groove length." These features are not taught or suggested by the cited references. Thus, the cited references would not support a rejection of amended claim 1 under 35 U.S.C. §102(e). The Applicant submits that claim 1 is allowable. Because claims 2-4 and 10 depend from claim 1, the cited references would likewise not support a rejection of these claims under 35 U.S.C. §102(e).

Further, in contrast to Stewart et al, amended claim 14 is directed toward a guide assembly that requires "a first roller including a perimeter surface, a circumference, a longitudinal axis and a plurality of discontinuous grooves disposed into the perimeter surface, one of the grooves having a groove depth that varies in a direction along a

length of the groove.” These features are not taught or suggested by the cited references. Thus, Stewart et al would not support a rejection of amended claim 14 under 35 U.S.C. §102(e). The Applicant submits that claim 14 is allowable. Because claims 15 and 20-21 depend from claim 14, Stewart et al would likewise not support a rejection of these claims under 35 U.S.C. §102(e).

Additionally, amended claim 26 is directed toward a method that requires the steps of “providing a rotatable roller having a circumference and a perimeter surface, and forming a groove into the perimeter surface so that the groove is tapered to have a groove depth that varies in a direction along a length of the groove.” These steps are not taught or suggested by the cited references. Thus, the cited references would not support a rejection of amended claim 26 under 35 U.S.C. §102(e). The Applicant submits that claim 26 is allowable. Because claim 27 depends from claim 26, the cited references would likewise not support a rejection of claim 27 under 35 U.S.C. §102(e).

Rejections Under 35 U.S.C. § 103

Claims 1-4, 10, 12-13, 26-27 and 30-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saliba et al (US 6,427,934) in view of Sawano et al. (JP 10-106074). Further, claims 14-15, 20-22, 24, 28-29 and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saliba et al in view of Sawano et al. and further in view of Stewart et al. Claims 5-9, 11, 33 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saliba et al in view of Sawano et al. as applied to claims 1-4, 10, 12-13, 26-27 and 30-32. Moreover, claims 16-19, 23 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saliba et al in view of Sawano et al. and further in view of Stewart et al. as applied to claims 14-15, 20-22, 24, 28-29 and 34. Each of the above rejections under 35 U.S.C. § 103(a) relies on Saliba et al, which was commonly owned with the present invention by Quantum Corporation, as stated below.

Finally, claims 5-9, 11-12 and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hikita as applied to claims 1-4 and 10 above or Stewart et al as applied

to claims 1-4, 10, 14-15, 20-21 and 26-27 above.¹

Common Ownership:

“Effective November 29, 1999, subject matter which was prior art under former 35 U.S.C. 103 via 35 U.S.C. 102(e) is now disqualified as prior art against the claimed invention if that subject matter and the claimed invention ‘were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.’” MPEP 706.02(I)(1). The present application and Saliba et al (US 6,427,934) were, at the time the invention disclosed in the present application was made, owned by Quantum Corporation. Thus, Saliba et al should be excluded from use as prior art in a rejection under 35 U.S.C. § 103. Therefore, the Applicant respectfully submits that the rejection by the Patent Office under 35 U.S.C. § 103(a) of claims 1-4, 10 and 13-34 is improper and should be withdrawn.

With respect to claims 5-9 and 11-12, as provided above, amended claim 1 is believed to be allowable. Consequently, because claims 5-9 and 11-12 depend directly or indirectly from claim 1, they are likewise believed to be allowable.

New Claims

Claims 36-38 have been added by this amendment. New claims 36-38 are of a slightly different scope than the previously pending claims. However, in view of the cited references, claims 36-38 are believed to be allowable.

In contrast to the cited references, new claim 36 is directed toward a method that requires “rotatably mounting a tape roller to a drive housing of the tape drive, the tape roller including a groove having a groove depth that varies over a length of the groove.” This step is not taught or suggested by the cited references, as explained in greater detail above. Therefore, claim 36 is believed to be allowable. Because claims 37-38 depend from claim 36, they are also believed to be allowable.

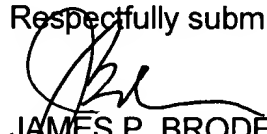
¹ This rejection of claims 5-9, 11-12 and 35 is the only rejection under 35 U.S.C. § 103(a) that does not rely on Saliba et al.

Conclusion

In conclusion, the Applicant respectfully asserts that claims 1-38 are allowable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-487-4077 for any reason that would advance the instant application to issue.

Dated this the 12th day of October, 2006.

Respectfully submitted,



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